

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A method of controlling data transmissions in a network between at least one terminal and ~~at least one~~ a plurality of servers, comprising:

determining a current status of said plurality of the at least one servers; and

~~determining a transmission rate of the at least one terminal based on the current status of the at least one server; and~~

adjusting the transmissions from the at least one terminal to said plurality of the at least one servers based on the status of said plurality of servers ~~transmission rate~~ by modifying at least one local ~~load~~ transmission weight at said at least one terminal to move a load from at least one overloaded server to at least one non-overloaded server, wherein said local transmission weight represents a probability of said at least one terminal distributing a data transmission to a particular server.

2. (currently amended) The method of claim 1, wherein the step of determining the a current status of said plurality of the at least one servers comprises receiving an overload notification from ~~one of~~ at least one server and updating a local status indicator for the ~~one of~~ at least one server.

3. (canceled)

4. (currently amended) The method of claim 1, wherein the step of determining the a current status of said plurality of servers comprises determining an overload status of each server based on whether any server is overloaded.

5. (currently amended) The method of claim 1 ~~[[4]]~~, wherein the step of adjusting the transmission further comprises adjusting a local load coefficient at said at least one terminal, based on the overload status wherein said local load coefficient represents a probability of said at least one terminal distributing a data transmission to a server rather than blocking the data transmission.

6. (currently amended) The method of claim 5, wherein the step of adjusting the local load coefficient includes decreasing the local load coefficient if ~~the overload status indicates that~~ all of the servers are overloaded.

7. (currently amended) The method of claim 5, wherein the step of adjusting the local load coefficient comprises increasing the local load coefficient if ~~the overload status indicates that~~ none of the servers are overloaded.

8. (currently amended) The method of claim 1, wherein the step of adjusting the transmission further comprises modifying at least one local load ~~transmission~~ weight if a portion of ~~the at least one said plurality of servers~~ is overloaded.

9. (currently amended) An apparatus that controls data transmissions on a network between at least one terminal and ~~at least one a plurality of servers~~, comprising:

a memory;

a network interface; and

a controller, connected to the memory and the interface said controller:

1) determining a current status of said plurality of the at least one servers, 2) ~~determining a transmission rate of the at least one terminal based on the current status of at least one server, and 3~~2) adjusting the transmissions from of the at least one terminal to said plurality of the at least one servers based on the status of said plurality of servers ~~transmission rate~~ by modifying at least one local load ~~transmission~~ weight at said at least one terminal to move a load from at least one overloaded server to at least one non-overloaded server, wherein said local transmission weight represents a probability of said at least one terminal distributing a data transmission to a particular server.

10. (currently amended) The apparatus of claim 9, wherein the controller determines ~~a the~~ current status of said plurality of the at least one servers by receiving an overload notification from ~~one of~~ at least one server and updating a local status of the ~~one of~~ at least one server.

11. (canceled)

12. (currently amended) The apparatus of claim 9, wherein the controller determines ~~a the~~ current status of said plurality of servers by ~~comprises~~ determining an overload status of each server based on whether any or all of the servers are overloaded.

13. (currently amended) The apparatus of claim ~~9~~12, wherein the controller further adjusts the transmission by adjusting a local load coefficient at said at least one terminal, for each server based on the overload status wherein said local load coefficient represents a probability of said at least one terminal distributing a data transmission to a server rather than blocking the data transmission.

14. (currently amended) The apparatus of claim 13, wherein the controller adjusts the local load coefficient by decreasing the local load coefficient if ~~the overload status indicates that~~ all of the servers are overloaded.

15. (currently amended) The apparatus of claim 14, wherein the controller adjusts the local load coefficient by increasing the local load coefficient if ~~the overload status indicates that~~ none of the servers are overloaded.

16. (~~original~~) (currently amended) The apparatus of claim 9, wherein the controller adjusts the transmission by modifying at least one local ~~load~~ transmission weight if a portion of said plurality of the at least one servers is overloaded.